



**TOWN OF HARPSWELL
PLANNING BOARD MINUTES
NOVEMBER 15, 2006**
Approved December 20, 2006

MEMBERS PRESENT

John Papacosma, Chairman
Dorothy Carrier, Vice Chairman
Joanne Rogers
Kenneth Cichon
Robin Brooks

MEMBERS ABSENT

STAFF PRESENT

Jay Chace, Planner
Marsha Hinton, Recording Secretary

The Town of Harpswell Planning Board meeting being duly advertised in the Times Record was called to order at 6:30 p.m. by Mr. Papacosma, Chairman.

Minutes of October 18, 2006

Mr. Papacosma pointed out typographical errors on pages 2 and 3 and Mr. Cichon asked for an addendum to his comments on page 1 of the minutes of October 18, 2006.

Ms. Carrier moved, seconded by Mr. Cichon to accept the minutes of October corrected and amended as follows: "Mr. Papacosma stated that the Planning Board has not historically taken such action nor is the Planning Board in the business of guaranteeing water supply." "Mrs. Levensailor stated that she has reviewed the application in detail and believes it to be a good thing." "Ms Carrier stated that the proposal will preserve what the Town of Harpswell intended to preserve and hoped that other developers would do the same." "Mr. Cichon stated that he was very familiar with the site and disclosed that he stores his boat at Finestkind Boatyard." Four in favor (Mr. Papacosma, Mr. Cichon, Mr. Brooks, Ms. Carrier) One abstained (Ms. Rogers)

Mr. Papacosma, Chair, explained the hearing process and procedures for the Planning Board meeting.

OLD BUSINESS

No old business.

NEW BUSINESS

ITEM 1

06-11-01 Martin Eisenstein and Gunilla M. Qvarfordt, Reconstruction of Non-Conforming Structure, Shoreland Residential, Tax Map 24-222, 26 Cedar Beach Road, Bailey Island.

Mr. Papacosma reported on the site visit.

Mr. Chace informed the Planning Board that it had been discovered after the applicant had submitted his application that this site is in a floodplain zone and stated that Mr. Eisenstein had

requested that this matter be tabled until that matter could be resolved with the appropriate governmental agencies.

Mr. Eisenstein discussed the current status of his proposal and stated that he was willing to answer any questions the Planning Board may have with regard to his application.

The Planning Board discussed the timelines for hearing applications, whether this was an active application, the need to wait on a response from governmental agencies, and the applicant's request that this item be tabled.

Ms. Rogers moved, seconded by Ms. Carrier to table the request of Martin Eisenstein and Gunilla M. Qvarfordt for reconstruction of non-conforming structure for tax map 24-222 at 26 Cedar Beach Road, Bailey Island, until such a time that information is received that makes it a complete application. Unanimous Approval

Item 2

06-11-02 Joseph Marquis and Marcia Nelson, Relocation of Non-Conforming Structure, Shoreland Residential, Tax Map 17-35, 27 Marquis Lane, Harpswell.

Mr. Papacosma reported on the site visit.

Mr. Chace was recognized by the Planning Board as having standing to present the application of Joseph Marquis and Marcia Nelson.

Mr. Chace described the proposal, removal of the existing privy, installation of the septic system, the proposal to move the shed back to conform to the floodplain setback, and the side line setbacks. Mr. Chace distributed a letter from the applicant with regard to the relocation of the shed.

The Planning Board discussed greatest practical extent, the poor condition of the shed, constraints of the lot, size of the lot, slope of the land, potential for soil erosion, location of other structures, septic system, vegetation, potential for development of the lot, and relocation of the shed. Ms. Carrier expressed concern with regard to the unstable banking and location of the septic system, the shed and house. Mr. Cichon stated that there are limited options for location of the septic on the site.

Mr. Chace stated that the proposal is to install a septic system, that the shed sits on cinder blocks and therefore there will be no earth moving required that would cause soil erosion, the land is flat, the size of the lot is 1/10 of an acre, and because relocation of the shed will bring the site in compliance with the Shoreland/floodplain setbacks the issue then becomes the sideline setbacks.

Mr. Papacosma opened the floor to members of the public who wished to comment.

Comments made from the public off camera.

Mr. Papacosma summarized that the land is roughly level sloping gradually toward the water, that there is little potential for soil erosion, that other structures will not be impacted, that there is an approved septic design, and the amount of vegetation that will be disturbed will be negligible. Mr. Papacosma stated that these six criteria do not preclude the structure being moved. Mr. Papacosma moved, seconded by Ms. Carrier that the Planning Board has reviewed the six criteria and that the proposal does meet the setback to the greatest practical extent. Unanimous Approval

Mr. Cichon moved, seconded by Ms. Rogers that based on the findings in the Town of Harpswell Planner's memorandum dated November 7, 2006, and related materials established as part of the of the record that the application of Joseph Marquis and Marcia Nelson meets the standards of § 13.4.7 of the Basic Land Use Ordinance. Unanimous Approval

OTHER BUSINESS

Mr. Chace discussed the Community Development Block Grant to study development options for Mitchell Field.

There being no other business before the Planning Board, **MS. CARRIER MOVED, SECONDED BY MR. BROOKS TO ADJOURN.**

Meeting adjourned at 7:20 p.m.

Respectfully Submitted,

Marsha M. Hinton
Planning Assistant